

AMENDED IN SENATE JUNE 19, 2006

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1949**

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**Introduced by Assembly Member Jerome Horton**

February 2, 2006

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An act to amend Section 19613.3 of the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1949, as amended, Jerome Horton. Horse racing.

Existing law provides for the recognition of horsemen's and horsewomen's organizations by the California Horse Racing Board. Each organization, except for the thoroughbred horsemen's and horsewomen's organizations, and except an organization that solely represents owners, or solely represents trainers, shall provide for the representation of owners and trainers on its board of directors. Each thoroughbred horsemen's and horsewomen's organization, except one that solely represents trainers, shall provide for the representation of owners and owner-trainers on its board. Existing law provides that the organization representing owners who are also licensed as trainers, and their spouses who are licensed as owners, shall comprise a class of owner-trainers, which may elect 3 of its members to the board of directors of the owner's organization, while all other directors shall be owners and not owner-trainers. The board of the thoroughbred owners' organization shall not exceed 15 members and all members shall have equal standing. Existing law further provides that the thoroughbred trainers' organization may appoint 3 persons who

qualify as owner-trainers, to the board of the thoroughbred owners' organization. This provision will be repealed as of January 1, 2007.

This bill would require ~~that the Board of Directors~~ *boards of directors* for the thoroughbred trainers' organization and thoroughbred owners' organization to appoint 3 mutually agreed upon persons who qualify as owner-trainers to the board of the thoroughbred owners' organization. This bill would maintain these provisions in effect until January 1, ~~2008~~ 2009.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 19613.3 of the Business and  
2 Professions Code is amended to read:

3 19613.3. (a) Except as provided in subdivision (b), (c), (d),  
4 and (e) relating to thoroughbred horsemen's organizations, each  
5 horsemen's organization, except an organization that solely  
6 represents owners, or an organization that solely represents  
7 trainers, shall provide for the representation of owners and  
8 trainers on its board of directors. The provisions setting forth the  
9 composition of the board of directors of each organization shall  
10 be in the bylaws of the organization and shall be submitted to the  
11 board. The bylaws and any changes thereto shall be approved by  
12 the board.

13 (b) Each thoroughbred horsemen's organization, except an  
14 organization that solely represents trainers, shall provide for the  
15 representation of owners and owner-trainers, as defined in  
16 subdivision (c), on its board of directors. The provisions setting  
17 forth the composition of the board of directors of each  
18 organization shall be in the bylaws of the organization and shall  
19 be submitted to the board. The bylaws and any changes thereto  
20 shall be approved by the board.

21 (c) The organization representing owners shall provide in its  
22 bylaws that owners who are also licensed as trainers, and their  
23 spouses who are licensed as owners shall comprise a class of  
24 owner-trainers, ~~which may elect three of its members~~ *three*  
25 *members of which shall be appointed* to the board of directors of  
26 the organization representing owners. All other directors shall be

1 owners as defined in Section 19613, and shall not be members of  
2 the class of owner-trainers.

3 (d) The board of directors of the thoroughbred owners'  
4 organization shall not exceed 15 persons, and all members of the  
5 board shall have equal standing. No person other than a duly  
6 elected or appointed member of the board of directors shall be  
7 entitled to vote on matters that are subject to the vote of the  
8 board.

9 (e) ~~The Board of Directors~~ *board of directors* of the  
10 organization representing thoroughbred trainers and the  
11 organization representing thoroughbred owners ~~may~~ *shall*, upon  
12 the effective date of this section, appoint three mutually agreed  
13 upon individuals who qualify as members of the class of  
14 owner-trainers as described in subdivision (c) to the board of  
15 directors of the organization representing thoroughbred owners.  
16 This section shall remain in effect only until January 1, ~~2008~~  
17 *2009*, and as of that date is repealed, unless a later enacted  
18 statute, that is enacted before January 1, ~~2008~~ *2009*, deletes or  
19 extends that date.